

RESOLUTION NO. 19-93
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J.V. Stoue ON THE
19th DAY OF April, 1993.

A RESOLUTION OF INTENT TO APPROPRIATE CERTAIN INTERESTS IN REAL PROPERTY AND EASEMENTS FOR THE WILMINGTON PIKE WIDENING PROJECT FROM THOMAS E. TOPP AND RICHARD H. TOPP, PARCEL 21.

WHEREAS, the City of Centerville is engaged in the acquisition of right of way for the Wilmington Pike Widening Project within and without the corporate limits of Centerville, and

WHEREAS, the acquisition of that parcel of real estate is immediately necessary for the roadway construction in connection with said project, and

WHEREAS, the Council has determined that the lands hereinafter described are necessary for roadway construction in connection with such project so that there will be no delay for the immediate preservation of the public peace, health, safety and welfare.


NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

SECTION 1. This Council hereby declares the necessity and intention to appropriate certain real property and temporary easements in accordance with Chapter 163 of the Ohio Revised Code.

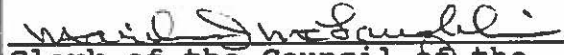
SECTION 2. It is necessary and intention to appropriate certain easements in the real estate described herein: as more fully described in Exhibit "A" attached and incorporated herein.

SECTION 3. That the City Manager or his designate is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, persons in possession of, or having an interest of record in the above described premises, and said notice shall be served according to law by a person to be designated for that purpose by said City Manager or his designate and to make return of said service of notice in the manner provided by law.

PASSED this 19th day of April, 1993.


Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of the Council of the
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 19-93, passed by the Council of the City of Centerville, Ohio, on the 19th day of April, 1993.


Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney

**LEGAL DESCRIPTIONS FOR
PROPERTY BEING ACQUIRED AND
TEMPORARY EASEMENT**



WOOLPERT

**DESCRIPTION OF PARCEL 21WD
WILMINGTON PIKE WIDENING
June 8, 1992**

Located in Section 14, Town 2, Range 6, M.R.s., City of Centerville, County of Montgomery, State of Ohio, and being a portion of land conveyed to Thomas E. Topp and Richard H. Topp by deed recorded in Deed Microfiche Number 87-449A08 in the Deed Records of Montgomery County, Ohio, and being more particularly described as follows:

Beginning at a 3/4" iron pin found at the corner common to Sections 7, 8, 13 and 14, Town 2, Range 6, M.R.s. said iron pin being located in the line common to Montgomery County and Greene County;

thence along the line common to sections 8 and 14, and along the line common to Montgomery County and Greene County, North one degree thirty-three minutes twenty-five seconds (01°33'25") East for one thousand fifty-eight and 85/100 (1058.85) feet to the northeast corner of land conveyed to Shawn P. and Nancy L. Cochran by deed recorded in Deed Microfiche Number 86-524C02 in the Deed Records of Montgomery County, Ohio, and the southeast corner of grantor's land, said corner being the **TRUE POINT OF BEGINNING**;

thence along the north line of Shawn P. and Nancy L. Cochran's land and the south line of grantor's land, on a non-radial bearing, North seventy degrees fifty-nine minutes twelve seconds (70°59'12") West for seventeen and 41/100 (17.41) feet;

thence leaving the north line of Shawn P. and Nancy L. Cochran's land and the south line of grantor's land, on a curve to the right with a radius of one thousand twenty-eight and 379/100 (1028.379) feet for an arc distance of two hundred ninety-nine and 80/100 (299.80) feet, [long chord bearing North six degrees forty-seven minutes forty-one seconds (06°47'41") West for two hundred ninety-eight and 74/100 (298.74) feet, central angle of said curve being sixteen degrees forty-two minutes eleven seconds (16°42'11")];

thence on a tangent bearing, North one degree thirty-three minutes twenty-five seconds (01°33'25") East for twenty-nine and 42/100 (29.42) feet to a point in grantor's north line and the south line of Cheltenham Section Six as recorded in Plat Book 148, page 12 in the Plat Records of Montgomery County, Ohio;

thence along the north line of grantor's land and the south line of Cheltenham Section Six, South seventy degrees forty-nine minutes no seconds (70°49'00") East for sixty-two and 96/100 (62.96) feet to the northeast corner of grantor's land and the southeast corner of Cheltenham Section Six, said corner being in the line common to sections 8 and 14, and the line common to Montgomery County and Greene County;

thence along the line common to sections 8 and 14, along the line common to Montgomery County and Greene County and along the east line of grantor's land, South one degree thirty-three minutes twenty-five seconds (01°33'25") West for three hundred eleven and 15/100 (311.15) feet to the **TRUE POINT OF BEGINNING**, subject however to all covenants, conditions, restrictions, reservations, and easements contained in any instrument of record pertaining to the above described tract of land.

It is understood that the above described tract of land contains no and 338/1000 (0.338) acres, more or less, inclusive of the present road which occupies no and 208/1000 (0.208) acres, more or less.

Description of Parcel 21WD
Wilmington Pike Widening
June 8, 1992

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The bearing system used is based on the Cheltenham Section One record plan system, recorded in Plat Book 137, Page 21 of the Plat Records of Montgomery County, Ohio.

This description was prepared from field surveys and courthouse records by Woolpert Consultants.

Daryl L. Wells
Daryl L. Wells
Ohio Professional Surveyor #6932

